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Title of Document: Temporary Positions and Temporary Employees

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Applicability: All DDSN State Employees

The language used in this policy does not create an employment contract between the employee and the Department of Disabilities and Special Needs (SCDDSN). SCDDSN reserves the right to change the contents of this policy in whole or in part.

PURPOSE:

The purpose of this directive is to establish a policy for the administration of temporary positions and the control and accountability of employees appointed in a temporary status.

POLICY

It is the policy of the South Carolina Department of Disabilities and Special Needs to establish temporary positions and hire temporary employees only when the operational needs warrant such and to provide critical coverage while permanent employees are on extended leave without pay. Establishment of temporary positions will be subject to the availability of funds budgeted for that purpose in each program area and are subject to immediate deletion.

DEFINITIONS

Temporary Position - A position that is established to fulfill an immediate operational requirement, to provide critical coverage for permanent employees on extended leave without pay or to provide short term coverage in buildings scheduled for closing.

Temporary Employee - A fully qualified employee who is hired on a full-time or part-time basis not to exceed 11 months. Temporary employees will not be used to fill vacant full-time positions and will not be appointed to a position for more than one 11 month period except to positions scheduled for depopulation turn-in. Temporary employees have no continuing status.

Consultant - A professional individual employed under contract to provide needed services and advice.

Contractual Provider - A firm providing services under contract on a continuing basis. (Examples: Dunhill Temps, Kelly Girl and Upjohn Nursing services).

ESTABLISHMENT OF TEMPORARY POSITIONS

A written request must be submitted to central office HRM to establish the position.

MAXIMUM ALLOWABLE DURATION

Temporary positions may not be established for more than 11 months. At the end of 11 and one-half months the temporary employee must be terminated.

RATE OF PAY

The salary for a temporary employee may be negotiated. The hourly rate for temporary employees will not exceed the minimum salary of the band/level assigned to a similar position in the classified service except as approved by the State Director or his designee. In no case will salary be below the prevailing minimum wage.

FRINGE BENEFITS

Temporary employees are not entitled to fringe benefits; i.e., annual leave, sick leave, military leave, retirement, insurance and State Legal Holidays. Temporary employees will be covered by Workmen's Compensation. Social Security contributions (FICA) will be payroll deducted and will be matched by SCDDSN contributions. Retirement contributions will be payroll deducted for retirees who return as temporary employees.

EMPLOYMENT PROCEDURES

Employment procedures for temporary employees will be the same as for permanent full-time employees. In addition, temporary employees will be required to sign a Temporary Employment Agreement (copy attached) at the time of sign-up that their employment is temporary in nature and subject to termination at any time due to lack of funds, discontinuation of the program, return of the permanent full-time employee or for any other reason at the discretion of SCDDSN.

COMPENSATION

Temporary employees will be placed on the payroll and will be paid from Personal Services Budget, category code 0171 funds.

Consultants will not be placed on the payroll. Vouchers will be prepared utilizing funds allocated to budget code 0205 for Medical and Health Services consultants and 0222 for consultants providing management related services. Firms under contract to provide specific services on a continuing basis will be paid from funds allocated to budget code 0299.

Funds should be requested in the budgetary process to cover 0200 expenditures. Where shortages occur, funds may be transferred from 0100, Personal Services, to 0200, Contractual Services, with written request and justification contingent upon Budget and Control Board approval.

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